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P.O. Box 1450  
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Attorney for Applicant

Date: 13 Apr. / 2004



Application No. : 10/629,887  
Applicant : Milton, et al.  
Filed : 29 July 2003  
TC/A.U. : 3765  
Examiner : Not Yet Known  
Title : ARTICLE DISPENSING AND COUNTING METHOD AND DEVICE  
Atty. Docket No. : DB000974-001  
Customer No. : 24122

To: Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.47(a)**

On February 2, 2004 a Petition was filed under 37 CFR 1.147(a). A Decision Refusing Status Under 37 CFR 1.47(a) was mailed 25 February 2004. In the Decision it was indicated that a reply may include an oath or declaration executed by the non-signing inventor.

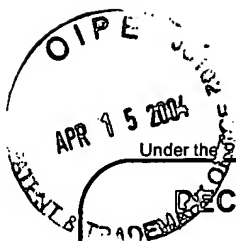
In response, applicants enclose a Declaration for Utility or Design Patent Application executed by Michael Bergeron, the non-signing inventor. In view of Mr. Bergeron's execution of the enclosed Declaration, applicants submit that the Notice of Missing Parts mailed 29 October 2003 has now been fully complied with and that the application is now in condition for examination.

Respectfully submitted,



Edward L. Pencoske  
Reg. No. 29,688  
Thorp Reed & Armstrong, LLP  
One Oxford Centre, 14<sup>th</sup> Floor  
301 Grant Street  
Pittsburgh, Pennsylvania 15219-1425  
Tel.: 412/394-7789, Fax: 412/394-2555  
Attorney for Applicant

Dated: 13 April 2004



**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**



Declaration  
Submitted  
With Initial  
Filing

OR



Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number	DB000974-001
First Named Inventor	Milton et al.
COMPLETE IF KNOWN	
Application Number	10/629,887
Filing Date	29 July 2003
Art Unit	3765
Examiner Name	Not Yet Assigned

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ARTICLE DISPENSING AND COUNTING METHOD AND DEVICE

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

07/29/2003

as United States Application Number or PCT International

Application Number

10/629,887

and was amended on (MM/DD/YYYY)

10/15/2003

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

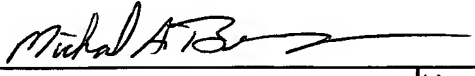
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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: <input type="text" value="24122"/> OR <input type="checkbox"/> Correspondence address below			
Name			
Address			
City		State	ZIP
Country	Telephone	Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) <u>Brian</u>		Family Name or Surname <u>Broussard</u>	
Inventor's Signature			Date
Residence: City <u>Lafayette</u>	State <u>LA</u>	Country <u>U.S.</u>	Citizenship <u>U.S.</u>
Mailing Address <u>309 Leonie Street</u>			
City <u>Lafayette</u>	State <u>LA</u>	ZIP <u>70506</u>	Country <u>U.S.</u>
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) <u>Monroe</u>		Family Name or Surname <u>Milton</u>	
Inventor's Signature			Date
Residence: City <u>Lecompte</u>	State <u>LA</u>	Country <u>U.S.</u>	Citizenship <u>U.S.</u>
Mailing Address <u>1605 Highway 457</u>			
City <u>Lecompte</u>	State <u>LA</u>	ZIP <u>71346</u>	Country <u>U.S.</u>
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the <u>2</u> supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION****ADDITIONAL INVENTOR(S)**  
Supplemental SheetPage 1 of 2

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Michael		Bergeron	
Inventor's Signature 		Date <u>4-1-04</u>	
Pineville Residence: City	LA State	U.S. Country	U.S. Citizenship
4312 Overview Drive Mailing Address			
Mailing Address			
Pineville City	LA State	71360 Zip	U.S. Country
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Steven J.		Remis	
Inventor's Signature		Date	
Ford City Residence: City	PA State	U.S. Country	U.S. Citizenship
771 Main Street Mailing Address			
Mailing Address			
Ford City City	PA State	16226 Zip	U.S. Country
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Joseph		Popovich	
Inventor's Signature		Date	
McMurray Residence: City	PA State	U.S. Country	U.S. Citizenship
105 Canterbury Lane Mailing Address			
Mailing Address			
McMurray City	PA State	15317 Zip	U.S. Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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**DECLARATION****ADDITIONAL INVENTOR(S)  
Supplemental Sheet**Page 2 of 2

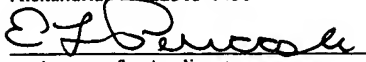
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
John		Volkar	
Inventor's Signature		Date	
Amity Residence: City	PA State	U.S. Country	U.S. Citizenship
683 Amity Ridge Road Mailing Address			
Mailing Address			
Amity City	PA State	15311 Zip	U.S. Country
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country

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Image  
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#### TRANSMITTAL

Enclosed for filing in the above-captioned application, please find the following:

- Request for Reconsideration of Petition Under 37 CFR 1.47(a); and
- Declaration.

Also enclosed is a return postcard. Please date stamp and mail the postcard in order to acknowledge receipt of the above-reference correspondence. The Commissioner is hereby authorized to charge any underpayment or credit any overpayment to our Deposit Account No. 20-0888. A duplicate copy of this transmittal is enclosed.

Respectfully submitted,



Edward L. Pencoske  
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Thorp Reed & Armstrong, LLP  
One Oxford Centre, 14<sup>th</sup> Floor  
301 Grant Street  
Pittsburgh, Pennsylvania 15219-1425  
Tel.: 412/394-7789  
Fax: 412/394-2555  
Attorney for Applicant

Dated: 13 Apr: 12 2004